



**CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION**

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PLANNING COMMISSIONERS

Wayne Tanda, Chair

Joseph H. Mueller, Vice Chair

Robert E. Escobar, Commissioner

Susan Koepp-Baker, Commissioner

John Liegl, Commissioner

John Moniz, Commissioner

PLANNING COMMISSION MEETING

APRIL 27, 2010

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

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OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: April 13, 2010

PUBLIC HEARINGS:

- 1) **30 Minutes** **DEVELOPMENT AGREEMENT AMENDMENTS:** Requests to amend the Development Agreement for seven on-going projects to re-incorporate the Development Schedule, extend development deadlines, modify Paragraph 18 allowing the City Manager to approve future development agreement amendment requests, and extend the dates for the BMR Reduction Program.
 - 1A) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-04-09E: E. DUNNE-JASPER PARK:** The 78-unit single-family residential development is located on south west corner of the intersection of E. Dunne Ave and San Benancio Way. (APN 817-11-067 & 072)
 - 1B) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-05-07F: WRIGHT-MANANA:** A 15-unit single family attached project located on a 2.56 acre site on the northwest corner of the intersection of Wright Ave and Hale Ave. (APNs 764-32-062 & 063)
 - 1C) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-06-02D: SAN PEDRO-ALCINI:** The 12-unit single family attached project is located on the northwest corner of the intersection of Church St. and San Pedro Dr. (APN 817-01-001)
 - 1D) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-06-04B: DIANA-CHAN:** The 117-unit single family detached development is located on a 42 acre site on the south side of Diana Ave. between Murphy Ave. and Ringel Dr.(APNs 728-18-012, 728-19-001, 002, 003 and 728-20-037 & 038)
 - 1E) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-07-03A: E. CENTRAL-UHC:** A 49 unit senior housing project on a 2.6 acre site located on E.Central Ave. west of the railroad tracks. (APN726-23-015)
 - 1F) **DEVELOPMENT AMENDMENT AGREEMENT, DAA-08-01: MYRTLE-LATALA:** The 6-unit project is proposed at 50 Myrtle Ave. (APN 817-01-022)

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- 1G) DEVELOPMENT AMENDMENT AGREEMENT, DAA-08-02: DIANA-EAH:** The project consists of 40 townhouses, 40 senior apartment units on an 8-acre project site bound by E. Dunne Ave., Butterfield Blvd., Diana Ave. and the railroad. (APNS 726-04-12)

Recommendation: 1) Open/conduct public hearings on request “A” through “G”.
2) Adopt resolutions “A” through “G” recommending approval of the amended Development Agreements.

- 2) 5 Minutes GENERAL PLAN AMENDMENT, GPA-10-03/ENVIRONMENTAL ASSESSMENT, EA-10-05: CITY OF MORGAN HILL-2010 HOUSING ELEMENT:** The project consists of an update of the Housing Element of the Morgan Hill General Plan. The update has been prepared to meet the requirements of State law and local housing objectives. The update covers the period of 2007-2014. The updated Element includes a comprehensive statement of current and projected housing needs in Morgan Hill and goals, policies and actions intended to address those needs. A Negative Declaration is proposed.

Recommendation: Open the Public Hearing and Table the Item.

- 3) 30 Minutes ZONING AMENDMENT, ZA-10-01: CITY OF MORGAN HILL-CHANGES TO THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM STANDARDS & CRITERIA:** A request to amend Chapter 18.78 of the Morgan Hill Municipal Code, amending the evaluation standards and criteria for proposed residential developments as set forth in Sections 18.78.200 through 18.78.410 of the Municipal Code. The proposed amendment is exempt from environmental review under Section 15061(b)(3) of the State CEQA Guidelines.

Recommendation: Open Public Hearing/Adopt Resolution approving final draft ordinance for adoption by the City Council.

OTHER BUSINESS:

- 4) 10 Minutes RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) FIRST QUARTERLY REPORT FOR 2010:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City’s Residential Development Control System.

Recommendation: Approve report with recommendation to forward to the City Council for approval.

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- 5) 10 Minutes **MULTI-FAMILY VACANCY RATE REPORT:** Biannual review of apartment vacancy rate as required in accordance to the Morgan Hill Municipal code, Chapter 17.36. Staff will also present a Regional Housing Needs Allotment (RHNA) Progress Report at the April 27 meeting.

- Recommendation:**
- 1) Approve Multi-Family Vacancy Rate Report by minute action, with recommendation to forward to City Council for approval.
 - 2) Receive RHNA Progress Report.

TENTATIVE AGENDA FOR THE MAY 11, 2010 MEETING:

- General Plan Annual Report

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

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NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)